

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ROLAND GUTIERREZ,
SARAH ECKHARDT, and
TEJANO DEMOCRATS,

Plaintiffs,

V.

GREG ABBOTT, *Governor of the State of Texas,*
in his official capacity, and
JOSE A. ESPARZA, *Deputy Secretary of State*
of Texas, in his official capacity,

Defendants.

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1:21-CV-769-RP-JES-JVB

ORDER

The Court previously set a non-evidentiary hearing and status conference in this case for October 28, 2021. (Dkt. 16). On October 26, 2021, the parties filed a Joint Advisory to the Court (the “Advisory”). (Dkt. 23). In the Advisory, Plaintiffs informed the Court that they no longer plan to urge their Motion for a Preliminary Injunction, (Dkt. 10), at the October 28 hearing, and Defendants informed the Court that they no longer plan to urge their Motion to Dismiss or Abate Proceedings, (Dkt. 12), at the October 28 hearing. The parties have indicated that they no longer seek immediate resolution of either motion. (Dkt. 21, at 2). The parties have further indicated that Plaintiffs intend to pursue similar claims in state court which “may impact the issues before the Court.” (*Id.*).

In light of the Advisory, **IT IS ORDERED** that the Court's Order, (Dkt. 16), setting the October 28, 2021 hearing is vacated. The Court will decide the pending Motion to Consolidate Cases, (Dkt. 20), on the papers or request argument at a later date.

IT IS FURTHER ORDERED that the parties shall file a joint status report when they have determined the impact of the litigation in state court on this case.

SIGNED on October 26, 2021 on behalf of the Three-Judge Panel.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE